

DECISION



THE COMPTROLLER GENERAL
OF THE UNITED STATES
WASHINGTON, D.C. 20548

FILE: B-220905 DATE: November 12, 1985
MATTER OF: Leavenworth Office Equipment

DIGEST:

Failure to provide potential bidder, even incumbent contractor, with copy of solicitation does not require resolicitation where protester has not shown that procuring agency deliberately or consciously precluded protester from competing, neglected to seek adequate competition, or failed to obtain reasonable prices.

Leavenworth Office Equipment (Leavenworth) protests any award by the General Services Administration under solicitation No. KPS-B-KF157-C3-S for the repair and maintenance of electric, manual, and electronic typewriters. Leavenworth, the incumbent contractor, complains that it did not receive a copy of the solicitation because the agency mistakenly misaddressed the solicitation package intended for it.

A procuring agency's failure to solicit a potential bidder, even an incumbent contractor, does not provide a compelling reason for resolicitation where there is no showing that the agency made a deliberate or conscious attempt to preclude the bidder from competing, neglected to make a significant effort to obtain adequate competition, or failed to obtain reasonable prices. Hamilton Sorter Co., Inc., B-212733, Sept. 12, 1983, 83-2 CPD ¶ 316; King Kong Services, B-219807, Aug. 14, 1985, 85-2 CPD ¶ 171. Leavenworth does not allege that any of these circumstances exists here, but admits that the agency's failure to solicit it resulted from a clerical error. We therefore find no valid basis for protest. See King Kong Services, B-219807, supra.

The protest is dismissed.

A handwritten signature in cursive script that reads "Ronald Berger".

Ronald Berger
Deputy Associate
General Counsel

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